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C O N F I D E N T I A L SECTION 01 OF 03 KYIV 000170

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SUBJECT: ONE WEEK TO ELECTION: YANUKOVYCH CAMP CONFIDENT

Classified By: Ambassador John F. Tefft. Reasons: 1.4 (b/d).

Summary

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¶1. (C) Even allies of PM Tymoshenko concede to us that Regions Party candidate Viktor Yanukovych is holding on to his lead in advance of the February 7 Presidential runoff. Tymoshenko must mobilize greater numbers of "Orange" voters over the next week or face defeat. If Yanukovych wins, members of the current coalition tell us he could bring down the Tymoshenko government, form a new coalition, and install a new PM -- without need to resort to pre-term parliamentary elections. Party of Regions campaign advisors tell us that the Tymoshenko campaign (if not Tymoshenko herself) knows it can not win, and is working to discredit the election. Behind the scenes, names are surfacing as candidates for PM or Foreign Minister if Yanukovych is victorious. End Summary.

Tymoshenko's Hope: Mobilizing Orange Voters

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¶2. (C) Tymoshenko Bloc MP Andriy Shkil told us January 28 that he believes there is an 80% chance Tymoshenko will lose. To avoid this, she must somehow rally the Orange base, many of whom are deeply disillusioned, in the final week. Her efforts between now and election day will be focused on that goal. Highlighting Yanukovych's biography (criminal and oligarchic connections) and claiming he will sell out Ukraine's sovereignty will be her chief weapons.

¶3. (C) Shkil believes Tymoshenko can accept defeat and will not try to block Yanukovych's election via court challenges unless his victory is close -- within one percent. Shkil believes Regions operatives will engage in fraud in Donetsk and Luhansk but not enough to affect the overall outcome, again, unless the election is close.

Yanukovych Victory and Prospects For A New Coalition

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¶4. (C) We also spoke on January 28 with Kryilo Kulikov, an MP from the pro-coalition group within Our Ukraine-People's Self Defense (OU-PSD) faction, which is the Tymoshenko Bloc's main coalition partner. Kulikov put Yanukovych's chances for victory at 70%. He said he had no doubt that Yanukovych would be able, if elected President, to break the Tymoshenko-led coalition and install a PM of his choosing. Party of Regions representatives are working now to build the necessary support within the OU-PSD faction. Serhiy Tihipko, third place finisher in the first round, also recently told the Ambassador that formation of such a coalition would be "easy to do."

¶5. (C) Kulikov recalled that coalitions are formed on the basis of factions. If a majority of the 72 member OU-PSD Rada faction voted to pull out of the coalition, the Tymoshenko coalition would fall. The margin had already been close. Following a Yanukovych victory, inducements from the

Yanukovych camp could deliver the needed 37 votes inside OU-PSD. Kulikov said that he expected that the fall of the Tymoshenko-led coalition would take place within days after the final certification of the election. He himself would vote against joining Yanukovych.

¶6. (C) Shkil agreed with Kulikov's appraisal. For purposes of coalition formation, Regions would have its own votes, 172, plus the 72 from OU-PSD. (The calculation credits the entire faction count.) This was more than the 226 needed for a new coalition. There would thus be no need to call early parliamentary elections in May as Yanukovych had threatened.

Shkil and Kulikov noted to us that Regions would not have to invite the Communists to join the coalition. This might be a condition of OU-PSD participation. The bloc of Rada speaker Lytvyn would also lose its king-maker status. Regions might well move to replace Lytvyn as speaker with an ally of Regions from within OU-PSD to cement the deal.

#### Role of International Observers

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¶7. (C) Taras Chornovil, an MP who has broken with Party of Regions, told us January 28 that he too expects a Yanukovych victory. He stressed that international observers would play a key role in validating the election. If, as in the first round, international observers rate the elections generally free and fair, Tymoshenko will not want to go against them. She will be conscious of not ruining her reputation in the West. Chornovil believes that only if Yanukovych's margin is two percent or less would Tymoshenko mount a full-scale challenge in the courts.

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¶8. (C) Chornovil, Shkil and Kulikov agreed that a new coalition without early elections was in Regions' interest. New elections would bring new factions into the Rada allied with candidates Tihipko, Yatsenyuk and Yushchenko. Regions might lose seats, especially to Tihipko. In addition, elections are expensive. Regions' financial backers, like oligarch Akhmetov, would want to avoid having to fund a costly parliamentary race.

#### Views from Yanukovych Campaign

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¶9. (C) Ambassador met January 28 with senior advisors to the Yanukovych campaign. They made the following points:

- The ten percent margin between the two is holding, albeit at higher levels. (About 45% Yanukovych vs. 35% Tymoshenko).
- Turnout is trending lower in the West and is stable or higher in the East. Bad for Tymoshenko.
- Overall turnout will be about 61% (versus 67% in the first round).
- Tymoshenko is not mobilizing the broader Orange base. Attacks from President Yushchenko have hurt her with those who look to him.
- The Tymoshenko campaign, anticipating defeat, is seeking to discredit the election and cast doubt on a Yanukovych victory.
- The Tymoshenko campaign planted a false exit poll after the first round (with a difference of only 4%) to discredit the outcome.
- Tymoshenko activists are preparing to engage in fraud Western Ukraine.
- Tymoshenko election commissioners may seek to subvert the election process by not showing up at some precinct or district electoral commissions, thus inhibiting voting or tabulation because of a lack of quorum.
- Regions will seek a clean election. Yanukovych has given orders to that effect. They believe they will win and don't need to resort to falsification.
- Regions welcomes election observers, except the proposed 2,000 Georgians who are "thugs" brought in to disrupt and

intimidate voters in Donetsk.

--The negative campaign against Yanukovych is not working.

--Yanukovych will end with a positive message on Friday February 5.

--Regions will hold large rallies outside the Central Election Commission February 8 to signal that they want to protect the vote (that they believe they will win).

#### Yanukovych Appointments

¶10. (C) With Yanukovych remaining in the lead, talk in political circles is turning to possible appointments. Rada and analyst contacts thought that Yanukovych might go with Mikhailo Azarov, his former Deputy PM and Finance Minister, as PM. Azarov, although well known as pro-Russian, would be more neutral among Regions' "clans" than other candidates, such as Borys Kolesnykov who is closely linked to the clan led by oligarch Rinat Akhmetov.

¶11. (C) Opinion is divided on whether Yanukovych would offer Sergey Tihipko the position as PM. Unlike Tymoshenko, Yanukovych has not yet offered him the job. MP Skhil commented to us that Yanukovych bears a grudge against Tihipko, who was Yanukovych's campaign chairman in 2004, but who abandoned him after the disputed second round. Yanukovych considers Tihipko a "traitor." Other observers contend that, with many difficult economic decisions to come, Regions could set Tihipko up as a fall guy by appointing him PM.

¶12. (C) For Foreign Minister, the name heard most often is that of current Ambassador to Russia, Kostyantyn Gryshchenko. Well respected, he has served as Ambassador to Russia and the U.S. and as an advisor to Yanukovych. Gryshchenko met the Ambassador January 27 during a visit to consult with MFA and the Yanukovych team. He said he had not been asked to be Foreign Minister, but indicated a readiness to take the job should he be asked. The Regions' shadow FM is MP Leonid Kozhara, a former Ambassador to Sweden. Contacts generally believe he would be a weak FM and that he lacks the stature for the post.

¶13. (SBU) Serhiy Lyovochkin, Yanukovych's Chief of Staff and a Regions MP, is the favored candidate to be Head of the Presidential Administration.

Comment

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¶14. (C) Tymoshenko has a week to turn things around. Many in her camp, as noted, doubt she can do it. Yanukovych has refused to debate, so Tymoshenko will get free, uninterrupted air time to make her final appeal. She has traditionally been a strong finisher. Her resort to the courts seems probable if a Yanukovych victory were close and/or the fraud allegations egregious and credible. Yanukovych will continue to try and avoid mistakes and ride disenchantment with the Orange leadership to victory.

TEFFT